

PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE

12-0162R

RESOLUTION APPROVING A PERMIT FOR THE PHASE II CHALET
AND PARKING LOT AND LIFT REPLACEMENT SITE PLAN FOR THE
SPIRIT MOUNTAIN RECREATION AREA AUTHORITY.

CITY PROPOSAL:

RESOLVED, that:

(a) Minnesota Laws, 1973, Chapter 327, requires that prior to the construction of any building, facility or other use at the Spirit Mountain Recreation Area the Duluth City Council shall, upon recommendation of the city planning commission and the city parks and recreation commission, approve a permit and may attach appropriate conditions to ensure that the project conforms to the approved master plan and the purposes of the act;

(b) The city planning commission reviewed the proposed Spirit Mountain Phase II chalet and parking lot site plan, and replacement plan for the express lift and terminals (the plan) at its regular meeting on March 13, 2012, and recommended approval of the plan subject to the following conditions:

(1) That a pedestrian pathway be constructed on the west side of the driveway linking the chalet to Grand Avenue; and

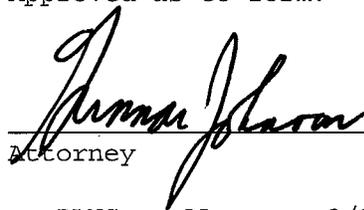
(2) That the pathway be converted to a sidewalk within five years of project completion;

(c) The parks and recreation commission reviewed the plan at its regular meeting on March 14, 2012, and recommended approval of the plan as submitted by the applicant; and

(d) That the city council of the city of Duluth, having received the recommendations of the planning and park and recreation commissions, and after review of the plan, hereby approves a permit for the Spirit Mountain Phase II Grand Avenue Chalet and parking lot site plan, and replacement plan for the express lift including the lift terminals for the Spirit Mountain recreation area

Authority, a copy of which is on file in the office of the city clerk as Public Document No. _____, subject to the following conditions:

Approved as to form:



Attorney

pc:PLNG AL:eu 3/30/2012

STATEMENT OF PURPOSE: This resolution approves a permit for the Phase II Chalet and Parking Lot and express lift replacement for the Spirit Mountain Recreation Area Authority. The plan was reviewed by the planning commission and park and recreation commission and the recommendations of those bodies are set forth in the body of the resolution.

If the council decides to incorporate any of the additional conditions recommended by the planning commission this resolution needs to be amended by motion setting for the specifics of the conditions.



City of Duluth
Planning Division

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MEMORANDUM

DATE: March 5, 2012
TO: Planning Commissioners
FROM: Steven Robertson, Senior Planner
SUBJECT: PL 12-029, Spirit Mountain Expansion

The Duluth City Planning Commission has received a petition from Renee Mattson, Executive Director of the Spirit Mountain Recreation Area, which proposes a "new base chalet located off Grand Avenue, of approximately 12,000 square feet on two levels, parking lot improvements, and new four person express lift to replace current four person express lift.". Attached to this memo are the following: two concept drawings, two site maps (current and proposed), seven page master plan (June 2008), and text from State Statute.

This matter is coming to you because the Spirit Mountain Recreation Area Authority enabling legislation (Laws of Minnesota, 1973, Chapter 327) in Section 5 (e) states "prior to the construction of any buildings or facility or prior to any site preparation or removal of vegetation or initiation of any use within the area, the authority . . . shall obtain a permit from the City Council after the City Planning Commission and City Park and Recreation Board have held a public hearing and given their recommendations to the Council."

The legislation above gives some guidance for the commission's review as follows: "The Planning Commission, working jointly with the Park and Recreation Board, shall adopt necessary and reasonable requirements for such review to ensure that the proposed use is within the safeguards to insure compliance."

In addition to the legislation, Spirit Mountain's Master Plan has also been included. As the state legislation has been interpreted in the past, the Master Plan process was intended to substitute for the zoning process. Once it has been determined that the project elements are within and therefore authorized by the Master Plan, the actual project plans also need approval.

To assist in the commission's review, it is helpful to remember the purpose for the origination of the Spirit Mountain Recreation Area:

- 1) The development of wide-range recreational facilities available to both local residents and tourists.
- 2) The aiding of the economy of northeastern Minnesota by encouraging private enterprise efforts in conjunction with the recreational facilities.
- 3) The preservation of the environment in the area by a timely and intelligent plan of development.

STAFF RECOMMENDATION:

Planning Staff recommend that the Planning Commission recommend approval to the City Council of the Phase II Chalet and Parking Lot project as indicated in the Layout Plan page C-102 dated Feb 2012



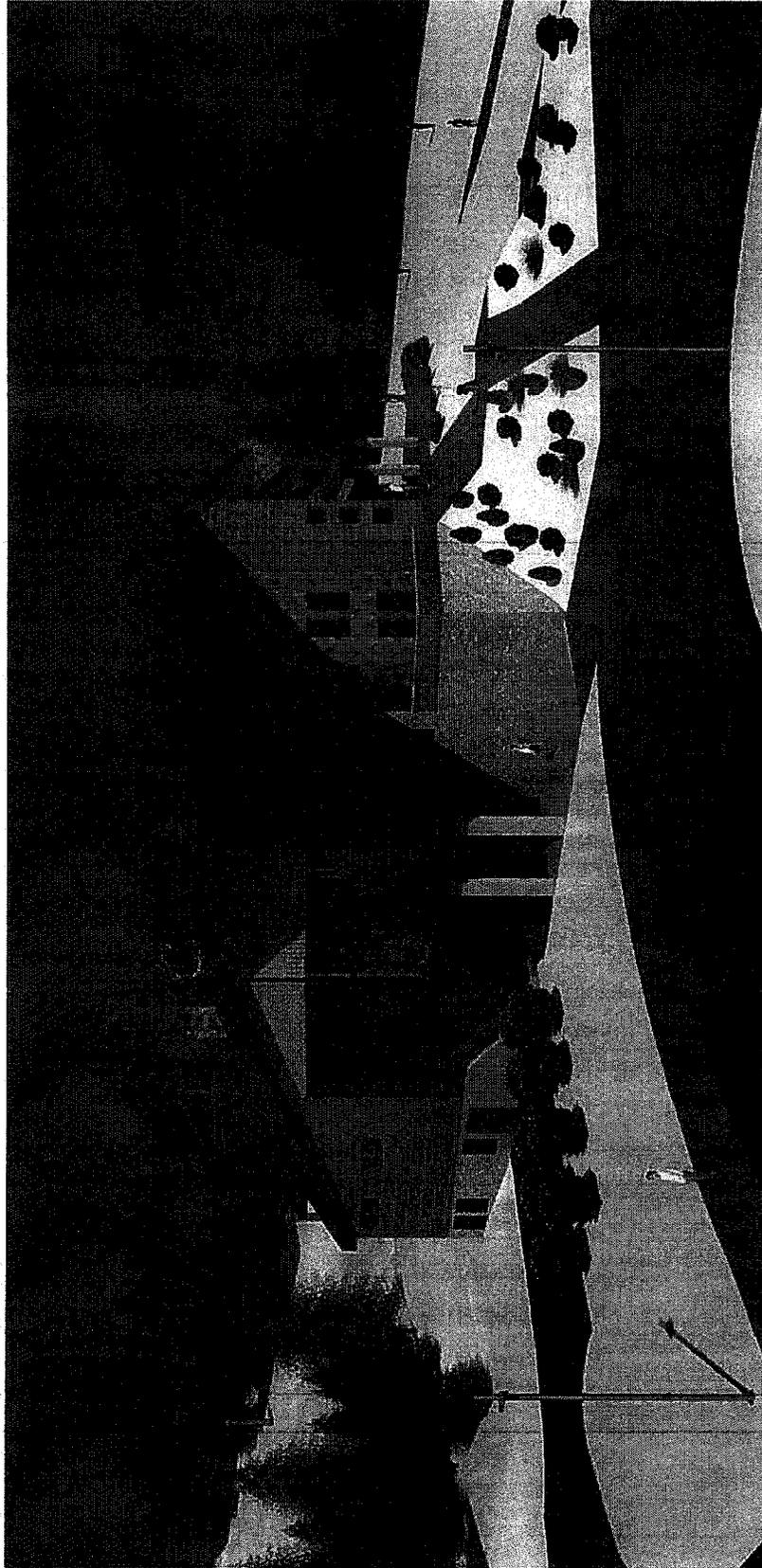
Phase II Chalet and Parking Lot Site Plans

- New base chalet located off Grand Avenue, of approximately 12,000 square feet on two levels
- Parking lot improvements
- New four person express lift to replace current four person express lift

Work to begin once permitting is complete, late April/early May with completion scheduled for mid- November 2012.

Spirit Mountain Recreation Area
Renee Mattson – Executive Director
9500 Spirit Mountain Place
Duluth, MN 55810

218-624-8501 direct
218-310-2627 cell



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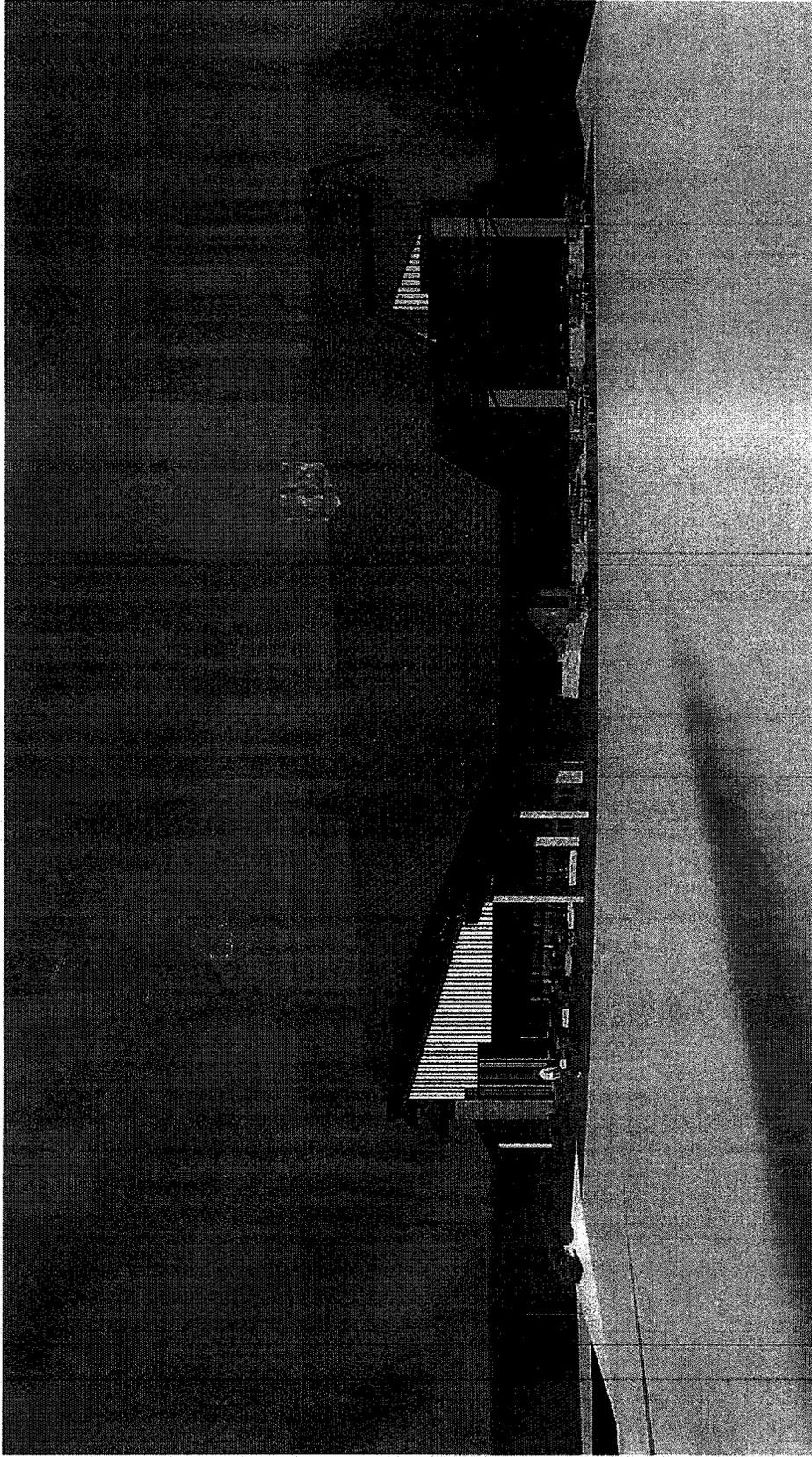
SPIRIT MOUNTAIN CHALET
DULUTH, MN

VIEW FROM GRAND AVENUE

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Scale: 1/2" = 1'-0"

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SPIRIT MOUNTAIN CHALET
Duluth, MN

VIEW FROM HILLSIDE

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Spirit Mountain Master Plan:

Mission, Objectives, & Vision /

Understanding of Situation & Framework for Action /

Master Plan Concepts & Implementation

Version: 6/30/08

Mission.

Mission statement from Minnesota Laws, 1973, Chapter 327 (section 1, mission):

The purpose of this Act is to facilitate the development of a land area with the following objectives:

- The development of wide-range recreational facilities available to both local residents and tourists;
- The aiding of the economy of northeastern Minnesota by encouraging private enterprise efforts in conjunction with the recreational facilities; and
- The preservation of the environment in the area by a timely and intelligent plan of development.

Objectives.

The Spirit Mountain Recreation Area will measure its success in satisfying its mission by the following:

- Provide recreational opportunities available to and accessible by all potential users, local residents and tourists alike.
- Maintain and enhance winter revenues, and, increase revenue generation in spring-summer-fall seasons.
- Revenues cover annual operating costs and maintenance and upkeep of facility. Substantial necessary improvements to the area are covered through established, legislated lodging and food and beverages taxes in which Spirit Mountain is specifically named, along with grants, local and state support and partnerships.
- Increase SMRA's regional economic impact in terms of total tourism dollars generated, enhancement of other regional attractions, and amount of spin-off private sector development.
- Sustained land base, its ecological functions, and its cultural features.

Vision.

The Spirit Mountain Recreation Area will achieve its mission by being:

- A premier four seasons outdoor adventure recreation center, recognized for its unique, multi-faceted recreation facility that meshes mountain terrain, Lake Superior experience, and semi-wild river access, and, accredited as a sustainable "green" facility and operation.

Understanding of Situation.

The following summarizes the team's understanding of the environment within which the master plan is being prepared.

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	Topic	Situation	Commentary
Market Related	Winter Dominance	<p>Winter revenues dominate SMRA's budget.</p> <p>But, skiing and snowboarding markets are flattening out.</p> <p>Nordic can be expanded but revenue potential is low.</p> <p>Most likely growth market is tubing and associated activities. This will attract an entirely new market demographic to SMRA with much of it coming from Duluth and immediate area.</p>	<p>For skiing and snowboarding the objective is to retain market, and, position for possible growth. Investments should create efficiencies in all aspects of operations in order to reduce costs and increase profitability within existing level of patronage.</p> <p>Investments in Nordic should enhance and slightly increase usage but must recognize limited financial return.</p> <p>Tubing is where investments can generate increase customer base and generate profits.</p>
	Private Development	Private development on or adjacent to SMRA will require year-round activity level to warrant investment.	SMRA does not control private decisions, but can help create the market to support this investment, and, offer itself as a partner.
	Summer Activity	<p>Catering / banquet business is substantial but still far less than winter revenues.</p> <p>Outside of tubing, summer activities are the only possible areas to explore for substantive new market development and revenue expansion.</p>	<p>Investments should be oriented to expanding multiple event capacity, and, increase operating efficiencies so as to reduce costs and increase profitability.</p> <p>SMRA must undertake experimental stance on finding the right mix of summer activities that match site's features and image, and, generate revenues capable of covering investment and operating costs.</p>
Physical Plant	Lifts	Lifts are obsolete, not flexible and require a substantial labor investment.	<p>Must be replaced.</p> <p>Flexible systems needed for both winter and summer use.</p> <p>Seek to maintain or expand capacity with fewer, better-situated lifts.</p>
	Snowmaking	Inadequate or unreliable water supply, and, a 35-year-old distribution system cannot guarantee that slopes would be open for key holiday ski times.	Situation must be corrected through a new and expanded system with water source being either via the Cloquet water line on property, or, new direct intake water line from St. Louis River.

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Topic	Situation	Commentary
Chalet	<p>Wood framed construction facility has significant amount of Deferred Maintenance and Betterment upgrade requirements particularly the Building Exterior/Envelop and Interior Systems including Toilet Rooms.</p> <p>The facility design is long and linear.</p> <p>Functional conflicts exist due to multiple entrances.</p> <p>Main skier entrance conflicts with the directly adjacent Shipping/Receiving and Trash/Refuse area.</p> <p>Interior arrangement of spaces for skiers is not efficient.</p> <p>Food Service preparation location is not convenient to the spaces it serves.</p>	<p>Remodeling and reconfiguring existing structure is deemed more fiscally viable and appropriate than building new.</p> <p>Improved external and internal flow will make hill more attractive to retain and expand current markets.</p> <p>Improved flow needed to increase capacity and efficiencies and reduce costs for catering/events.</p> <p>New food service preparation kitchen, ideally located within chalet, is critical to building function and success.</p>
Parking & Customer Flow	<p>There are enough parking spaces but they are not strategically located close to chalet.</p> <p>Insufficient parking at base of hill.</p> <p>Due to multiple building entrances there is inefficient flow of customers from parking to use areas.</p>	<p>Insufficient and/or inefficient parking will reduce attractiveness of site, and, potentially, loss of revenues.</p>
Base of Hill	<p>No structure capable of acting as second entrance to hill.</p>	<p>Multi-functional structure is needed if year-round hill activity is to be supported, and, if tubing hill is to be developed.</p>

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Topic	Situation	Commentary
Misc. Buildings	<p>Maintenance building has significant deferred maintenance and betterment upgrade requirements, does not meet current space needs, and is improperly located in middle of ski runs</p> <p>Campground control/Nordic building is old and not conveniently located. The Nordic parking area is inadequate.</p> <p>Campground shower buildings are old, one is located in low lying area with possible drainage issues, and neither meet functional requirements due to inadequate amount of toilet fixtures and showers.</p>	<p>These conditions do not necessarily impact revenues, but, they detract from the overall functionality of the facility, and, contribute to a sense of an older, resource-strapped operation.</p> <p>An improved campground / Nordic center and Mountain Villa building is important to enhancing both profit centers.</p>

Further, it is understood that Spirit Mountain was designed from the beginning, and remains so today, a facility intended to generate regional economic impact. To accomplish that mission, Spirit Mountain has foregone opportunities such as large-scale on-site lodging that could significantly boost its revenues and internal profitability. In exchange for not pursuing such opportunities, the Mountain has received limited financial support from the state and city. The City's contribution comes from specially legislated lodging and food and beverage taxes generated, in good part, through the presence and activities of Spirit Mountain. General fund tax dollars do not support the operation. While Spirit Mountain historically has generated revenues sufficient to cover operating expenses and most day-to-day maintenance costs, external financial support is essential to underwriting its physical plant. The stated Objectives reflect this financial relationship, which is critical to the facility's ongoing success.

Framework for Action.

All actions proposed for inclusion in the master plan will be consistent with the Vision, make progress toward the Objectives, and lie within the boundaries of the legislated Mission. Actions will be grouped into three broad categories:

- Actions that increase the efficiency of existing operations and thereby reduce operating costs.
- Actions that either generate new streams of net revenues, or, enhance generation of revenues at existing profit centers.
- Actions that do not increase efficiency or generate new net revenues but that otherwise contribute to the achievement of the facility's mission as measured by one or more of the stated objectives.

Master Plan Concepts.

A set of core concepts forms the structure for the master plan. These concepts indicate the strategic direction to be taken by Spirit Mountain and provide the rationale for the suite of implementing actions.

Enhanced Alpine Ski / Snowboard Focus

Alpine skiing and snowboarding have been and are, for the foreseeable future, the core, identifying activities at Spirit Mountain. The majority of existing infrastructure is designed to serve these activities, they generate the bulk of the facility's revenues, and they represent the best sources of enhanced on-going revenues. The key concept for this plan is to build upon this base by enhancing the attractiveness of the facilities serving these activities, and, undertaking physical

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and programmatic improvements to better serve this market and thus encourage greater participation.

Family-Oriented Multi-Activity Center

It is a priority of Spirit Mountain to extend its capacity to meet the year-round recreational desires of families and to improve its physical integration into Duluth, especially the western neighborhoods. To this end, Spirit Mountain proposes the creation of a multi-faceted, family-oriented activity center at the base of the mountain. During the winter, a tubing hill will be the central attraction; it will be joined by other outdoor activities to create a colorful, fun-filled family-oriented recreation area. In the summer, a blend of warm-weather activities will occupy the site.

Expanded Year-Round Activity

Spirit Mountain intends to assert its image as a year-round outdoor adventure center by creating new trails on the property and connecting to regional trail systems, establishing itself as a trail system activity and service center, introducing summer time activities such as mountain bike trails, upgrading its campground and adding RV camping, enhancing its Nordic trail system, and exploring such concepts as downhill zip lines, alpine coasters, and kayak/canoe programs on the St. Louis River.

Efficiency and Flexibility

Much of Spirit Mountain's infrastructure is 30 years old. Replacing this outmoded equipment and systems with 21st century technology will increase productivity, reduce costs, create a more pleasurable experience for users, and offer flexibility for handling a variety of year-round activities on the mountain. Among the key improvements are: a new snowmaking system, redesigned and reconfigured chairlift systems, a reconfigured and upgraded main chalet, new lift ticket handling system, and redesigned parking lots.

Private Development

Spirit Mountain supports and encourages development on private land adjacent to the mountain especially development that provides lodging for mountain users and generally enhances the area as a desirable destination for visitors. In particular, Spirit Mountain encourages development at the base of the mountain, which development would strengthen Spirit Mountain's connections to western Duluth neighborhoods and enhance connections to the St. Louis River.

Forested Land Base Management

A considerable portion of Spirit Mountain's land base is relatively undeveloped high value forested land. This land has inherent ecological values, contains historical-cultural features, and contributes to the overall attractiveness of the facility. Sustaining these values is critical to Spirit Mountain's ongoing success. Undeveloped land above Skyline Parkway was not included as this plan anticipates preservation of the majority of the forested land with the exception of limited expansion of the campground and Nordic trails.

Importance of Trails

Trail systems at Spirit Mountain provide free or low-cost recreational opportunities for residents and visitors. They also offer uses access to areas for enjoyment of the scenery and appreciation of the environmental features of the landscape.

Trails can help integrate Spirit Mountain with regional systems such as the Superior Hiking Trail, Munger Trail, and the Western Water-front Trail. Trails can also be used to connect Spirit Mountain with other area attractions such as the Duluth Zoo and Lake Superior & Mississippi Railroad.

As part of its year-round programming, Spirit Mountain intends to position itself as a center for trail access, activity, and service.

American Indian Cultural Values

Spirit Mountain has spiritual value to the regional Ojibwe, who view the mountain as a sacred component of the Ojibwe's westward migration. While the entire mountain may be considered sacred, particular areas at the peak are of greatest concern. If anything is to be done to provide access, identify areas, or create amenities for this area, it will be only done as a fully cooperative venture with regional Ojibwe.

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Sustainable / Green Development

Integral to the design and implementation of this master plan is the concept of sustainable development. This concept is reflected in a desire to minimize the expansion of the footprint of existing development, to redevelop existing structures and use areas, implement energy efficiencies in design and operations, secure a snowmaking water supply that does not use treated water, use of pervious parking lot surfaces, and creation of surface water runoff control structures.

Master Plan Implementation Actions.

Spirit Mountain will undertake the following major actions to implement the master plan.

Realigned and Upgraded Chairlifts

- Replace aging equipment that is nearing the end of its useful life span.
- Use high capacity lift systems to reduce the number of operating lifts and increase the operating efficiency of the facility.
- Increase the number and quality of beginner lift systems to increase the desirability of the facility for first time beginners' skiers and school groups.
- Implement a lift ticket scanning and card access system.

Enhanced Snowmaking System

- Increase snowmaking capacity from 2,700 gpm to 6,000 gpm, and, additional snow sticks to augment snow guns will increase coverage and reduce operating cost. System is to be capable of supporting Snocross event, expanded ski runs, and future tubing/Nordic areas. System is to be capable of insuring SMRA is fully open for skiing by the December holiday week each season.
- Install new pumping package and pump house to replace 35-year-old system.
- Replace Duluth City water with either Cloquet pipeline water or water directly out of the St. Louis River.

Grand Avenue Development

- Develop 8-lane tubing hill serviced by "moving carpet" lift system.
- Develop year-round children/family adventure play area.
- Construct a base-of-the-hill service chalet to serve tubing hill and, provide year-round access to hill for users, mountain bike rental, mountain bike terrain park and associated activities, provide secondary ski/snowboard rental facility, food service area, and resting/warming space.
- Expand parking and create improved entrance and DTA access point. As this will necessitate removal of the existing soccer field, SMRA will initiate actions with the City to relocate the field to another West Duluth location.

Renovate Existing Chalet

- Create new "monumental" entrance at north end of chalet convenient to the expanded parking area, with an improved drop-off/pick-up area. Entrance to include expedited ticketing to facilitate directed flow of users.
- New entrance to separate skier entrance from shipping/receiving and trash/refuse areas.
- Develop use nodes / plazas along east side of chalet to link interior and exterior spaces and break up linear flow of the chalet.
- Develop new prep kitchen, central food storage, beverage service, and ware washing facility centrally located on second floor. Satellite serving kitchens are to be located on other floor levels.
- Reconfigure banquet rooms to provide more flexible space.
- Create a new bar/lounge and restaurant on the lower level below the Moosehead Lounge for convenient skier use. This will allow flexible alternative use of the Moosehead Lounge for banquets and special events during the winter season.

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- Space functionality reorganization to improve flow for users (e.g., ski rentals, lockers, booting area, children's program space, etc.).
- Upgrade existing chalet to address deferred maintenance and betterment needs including toilet facilities and accessibility issues.

Improved Camping, Parking, and Nordic Areas

- Redevelop and reconfigure top of the hill parking to be more convenient for users and within a comfortable skier/snowboard walking distance of the facilities.
- Relocate drop-off area, reconfigure bus unloading/loading area, and create VIP parking area.
- Develop fully serviced RV camping area at top of hill convenient to chalet and campground service building.
- Upgrade existing campground service building so as to serve campground, Nordic ski area, and villa rentals.
- Add new camping area with rental cabins, "yurts", and tenting spaces.
- Establish short, lighted trail loop, possibly with snowmaking capacity, for Nordic trail system.

Summer Facilities

- Install new recreational summer facilities such as a zip line ride, mountain biking trails with lift access, disc golf, and mountain bike terrain park.
- Install alpine slide/coaster to expand summer market and further utilize the lift and lodge facilities for a longer portion of the year.
- Integrate use of both upper and Grand Avenue facilities to provide and support summer activities.
- Create new hiking trails across the property and connecting with the Duluth Zoo and Munger / Western Waterfront Trails.
- Spirit Mountain will work cooperatively with the Superior Hiking Trail Association to minimize impacts to the Superior Hiking Trail that may result from expansion or new development.

Other Actions

- Explore cooperative promotion with other western Duluth tourism attractions especially related to enhancing non-winter traffic and revenues.
- Work with Nordic ski users to develop major Nordic events.
- Devise a management plan for the undeveloped, forested area of the SMRA property, which plan will focus on maintenance and enhancement of ecological values and functions, and protection of cultural sites and values.
- Indicate a receptiveness to and encouragement of private development on adjacent lands, which development could be integrated into SMRA functions.

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appropriation of revenues hereunder shall be subordinate to the appropriation and pledge of gross or net revenues of the recreation program, or any part thereof, for the payment and security of any revenue bonds issued or to be issued to finance land, buildings, or facilities for the program.

Sec. 4. This act shall be effective only after its approval by a majority of the governing body of the city of Saint Paul and upon compliance with the provisions of Minnesota Statutes, Section 645.021.

Approved May 18, 1973.

CHAPTER 327—H.F.No.1969

[Not Coded]

An act relating to the city of Duluth; authorizing organization of a Spirit Mountain recreation area authority; conferring upon said authority the power and duty to administer, promote, control, direct and manage the organization and ongoing operation of said recreation area; and providing for a tax levy and issuance of bonds.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. **DULUTH, CITY OF; SPIRIT MOUNTAIN RECREATION AREA AUTHORITY; PURPOSE.** The purpose of this act is to facilitate the development of a land area with the following objectives: (1) The development of wide-range recreational facilities available to both local residents and tourists; (2) The aiding of the economy of northeastern Minnesota by encouraging private enterprise efforts in conjunction with the recreational facilities; and (3) The preservation of the environment in the area by a timely and intelligent plan of development.

Sec. 2. **SPIRIT MOUNTAIN RECREATION AREA AUTHORITY.** Subdivision 1. There is hereby created a Spirit Mountain recreation area authority, hereinafter referred to as the authority, which shall administer as hereinafter provided, the tracts of land described as follows:

A main area consisting of: That part of the South Half (S ½) of Section Fourteen (14), Township Forty-Nine (49), Range Fifteen (15), lying south of the Duluth Missabe and Iron Range Railway right of way and north of the Duluth Winnipeg & Pacific Railway right of way and excepting the

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Sec. 4. **AUDIT.** At least once each year the city auditor, under the direction of the city director of finance, shall make or cause to be made, at the expense of the authority, a complete examination and audit of all books and accounts of the authority; and for such purpose the city auditor shall have the power to inspect and examine such books and accounts at any time during regular business hours and at such intervals as he may determine. One copy of such yearly audit shall be filed by the city auditor with the city clerk as a public document.

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Sec. 5. **POWERS AND DUTIES.** Subdivision 1. Notwithstanding anything to the contrary contained in any law or in the charter of the city of Duluth, or in any ordinance thereof, there is hereby conferred upon such authority the following powers and duties:

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(a) To sue and be sued;

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(b) To enter into and execute agreements, instruments, and other arrangements which are necessary, proper, and convenient to the exercise of its powers;

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(c) To acquire, within the existing area boundaries, in the name of the city of Duluth by purchase, lease or gift all real or personal property, easements, or other rights which may be necessary or proper for the establishment, maintenance and improvement of the Spirit Mountain recreation area, provided however that any acquisition of real property shall require prior council authorization in the form of a resolution;

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(d) To manage and control the area included in the Spirit Mountain recreation area on behalf of the city of Duluth for purposes consistent with this act, subject to the limitations herein contained;

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(e) The authority may construct and maintain buildings, facilities, and other equipment consistent with the purposes of this act. Previous zoning requirements within the recreation area shall be superseded by this act and replaced by procedures outlined hereinafter. Permitted uses include all forms of recreational facilities, including buildings and equipment, and commercial and recreational enterprises designed to be compatible with the recreational use of the area and to accomplish the purposes of this act, including, but not limited to, food services, intoxicating and nonintoxicating beverage sales, various forms of lodging, and shops which complement the recreational usage of the area. The authority may lease, sell or contract for the use of land within the area to individuals or firms for the aforesaid purposes.

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Prior to construction of any building or facility or any other use of the area by the authority or others, the city council, upon recommendation of the city planning commission and the city park and recreation board shall review and approve a master plan for the development of the area and any subsequent changes to said master plan. Further, prior to the construction of any buildings or facility or prior to any site preparation or removal of vegetation or initiation of any use within the area, the authority or any other person or firm shall obtain a permit from the city council after the city planning commission and city park and recreations board have held a public hearing and given their recommendations to the council. ~~The planning commission, working jointly with the park and recreation board, shall adopt necessary and reasonable requirements for such review to insure that the proposed use is within the purposes of this act and shall attach appropriate conditions and safeguards to insure compliance.~~ The construction and maintenance codes of the city of Duluth shall apply to construction and maintenance in the area;

(f) To lease, sell or contract in any manner for the use of real and personal property within the area under the authority's jurisdiction for any use consistent with the purposes of this act. All such leases shall contain provisions designed to adjust revenues in relation to variables such as inflation, increased land valuation, or increased gross revenue. All leases shall require council approval. Land sales shall be subject to planning commission and park and recreation board approval and must be confirmed by resolution on an $\frac{3}{4}$ vote of the city council;

(g) To accept gifts, grants, or loans of money or other property from the United States, the state, or any person or entity; for such purposes the authority may enter into any agreement required in connection therewith, subject to approval by the city council.

The powers conferred in this section shall be limited as provided in this paragraph. The authority has sole control over the main recreation area, but shall share control of the western peripheral area with the park and recreation board. Uses of the western peripheral area will be confined to the development of recreational trails, the use of which will be consistent with the purposes of this chapter, and public roadways. Such uses will require prior approval of the park and recreation board. Uses of the eastern peripheral area will be confined to recreational trails, necessary roadways, the provision of a right of way for travel to the zoo, and changes or improvements to the zoo property. Such changes in the eastern peripheral area will require prior park and recreation board approval and be subject to any pre-existing rights and duties given to the arrowhead zoological society as a result of contracts between the city and the society.

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LAURENCE F. GIBSON